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***NRC REVISES ENFORCEMENT POLICY  
FOR ASSESSING THE SIGNIFICANCE OF VIOLATIONS***

The Nuclear Regulatory Commission has revised its enforcement policy to reflect changes in its approach for assessing the significance of violations.

It is the third major revision of NRC's enforcement policy since 1995, continuing the NRC's efforts to use enforcement as a means of focusing licensee attention on identifying and correcting problems that are the most safety significant.

In the past, the NRC evaluated the potential and actual safety consequences of a violation, and its regulatory significance. Although never specifically defined, the term "regulatory significance" traditionally included, but was not limited to, repetitive violations, willful violations, reporting violations and aggregating less significant violations into one of higher significance.

The revised enforcement policy eliminates the term "regulatory significance" and with it the practice of escalating the severity level of a violation based on aggregation or repetitiveness. Concerns about a licensee's performance as a result of a large number of less significant violations, or repetitive violations based on ineffective corrective actions, will be addressed through other regulatory tools, such as NRC's new oversight and assessment process, rather than enforcement.

Under the revised enforcement policy, the NRC will consider the potential and actual safety consequences of a violation, whether it was willful, and its potential for impacting the NRC's ability to perform its regulatory function. The latter term encompasses a variety of reporting failures such as the failure to provide complete and accurate information to the NRC or the failure to notify the NRC of changes in licensed activities. In considering potential safety consequences, the revised policy specifies that risk information will be used whenever possible to help determine whether the severity level of a violation should be increased or decreased.

The new policy makes additional changes, including changes to conform to recent revisions to the requirements of Part 50.59 of the Commission's regulations, "Changes, tests and experiments," as well as editorial corrections and language clarification to assure consistency with recent policy changes.

The NRC enforcement policy was first issued as a formal policy statement in 1980. In 1995, it was completely revised as a result of the recommendations of a team of senior

managers who studied the program and solicited input from stakeholders and other government agencies. In May 1998, further changes were made based on a review of the experience with the revised policy and consideration of public comment. The agency recognizes that additional changes may be considered as a result of current efforts to improve the inspection and performance assessment processes for its licensees.

The revised enforcement policy (NUREG-1600) will be published in an upcoming edition of the *Federal Register*. Copies will be sent to all NRC licensees and will be posted to the NRC's homepage at: <http://www.nrc.gov/OE>

Copies will be available for inspection and copying for a fee at the NRC Public Document Room, 2120 L Street, Washington, D.C. 20555-0001. Copies may also be purchased from the Government Printing Office by calling (202) 512-1800.

Interested persons may submit written comments to David L. Meyer, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mail Stop T6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Comments may be hand-delivered between 7:30 a.m. and 4:15 p.m. on Federal workdays to 11555 Rockville Pike, Rockville, Md. Comments will be accepted for 30 days after *Federal Register* publication.

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